



CITY OF BUFFALO
DEPARTMENT OF LAW

EXHIBIT

B

P-375 (Rev 07/2003)

Side - 1 -

BUFFALO POLICE DEPARTMENT
INCIDENT REPORT WORKSHEET

All applicable items on this page to be completed for all reports

REPORT

11-001-0504

 Original Supplement

REPORT DATE

1-17

REPORT TIME

1400

CALL #

NATURE OF CALL

Criminal Mischief

LOCATION OF INCIDENT: Address:

City

State

Zip Code

District

Sector

33 Schlarbeck

Buffalo

NY

C

OCCURRED FROM:

Date: 1-1-17

Time: 1100

TO

Date:

Time:

Offense #1

Offense #2

Offense #3

Offense #4

PL 145-05-2

PL 240-20-3

Hate Crime: Yes No

Reporting Officer: J. Velez

ID# 172870

Assisting Officer:

L. McDermott

ID# 172768

PERSON

#1

INVOLVEMENT

Victim / Witness / Suspect / Complainant / Arrested / Warrant Card

PERSON

TYPE:

Business / Individual / Police Officer / Government

NAME

Last: Heistner

First: James

RACE: W / B / I / O / H

SEX: M

F

DOB:

100

HGT:

WGT:

Hair Color:

Eye Color:

Skin:

Lt. / Med. / Dark

ADDRESS INFORMATION:

Address:

TYPE: Bus / Work / Home / Vacation / Other

31 Schlarbeck

City:

State:

Zip Code:

TYPE: Bus / Work / Home / Vacation / Other

Buffalo

NY

IDENTIFICATION INFORMATION:

Type:

Number:

State:

TELEPHONE INFORMATION:

Type:

(Area Code)

Prefix

Number

ALIAS INFORMATION:

Name:

DOB

H / W / C / Pgr 716-895-2949

H / W / C / Pgr

SCARS/MARKS/TATTOOS – Use Narrative, if more than one.

Type:

Location on Body:

Description:

NEXT OF KIN OR ASSOCIATES – Use Narrative, if more than one.

Relationship:

Name:

Address:

City:

State:

SCHOOL INFORMATION:

School:

Grade:

1. General Appearance:

2. Build:

3. Hair Style:

4. Facial Features:

2. Build:

3. Hair Style:

4. Facial Features:

3. Hair Style:

5. Weapon Type:

Caliber:

Barrel Length:

Weapon Color:

4. Facial Features:

CLOTHING DESCRIPTION:

Hat:

Mask:

Glasses:

Coat:

Shirt:

Pants/Shoes:

5. Weapon Type:

IF ARRESTED

Arrest Type:

Arrest

Summons

Arrest Date / Time: 1-17/1105

Arrest Location: 31 Schlarbeck

 Appearance/Ticket Issued

Summons #:

BAC:

Warrant #:

Agency:

Charge:

Level:

Description:

Charge:

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6. Clothing:

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VEHICLE #1

VEHICLE SECTION

INVOLVEMENT:	TYPE:	Lic. #:	Lic State:	Lic. Year:	Lic. Type:
Veh. YEAR	Veh. MAKE:	Veh. MODEL:	Veh. STYLE	Veh. COLOR:	
VIN #	STL / REC LOC				
DISPOSITION:	TOWED BY:	TOWED FROM:	TOWED TO:		
STOLEN / RECOVERY INFORMATION <input type="checkbox"/> KEYS: <input type="checkbox"/> Hidden in Car <input type="checkbox"/> In Ignition <input type="checkbox"/> Not in Car		DOORS: <input type="checkbox"/> Locked <input type="checkbox"/> Unlocked	EVIDENCE OF STRIPPING: <input type="checkbox"/> None <input type="checkbox"/> Tires <input type="checkbox"/> Radio <input type="checkbox"/> Engine <input type="checkbox"/> Engine Access. <input type="checkbox"/> Transmission <input type="checkbox"/> Battery <input type="checkbox"/> Burned Out <input type="checkbox"/> Other		
VEHICLE PLATES MISSING: <input type="checkbox"/> One <input type="checkbox"/> Two <input type="checkbox"/> None		VEHICLE CONDITION:			RECOVERY FOR: <input type="checkbox"/> BPD <input type="checkbox"/> OTHER AGENCY:
OWNER HAS KEYS: <input type="checkbox"/> Yes <input type="checkbox"/> No		LOAN PENDING: <input type="checkbox"/> Yes <input type="checkbox"/> No	Prior Problems w/ Vehicle:		
Owner Notified By:		By Whom recovered:		Rank:	Assignment:
					Emp. #:

Important: Shaded information should be included in the narrative in ARS.

NOTE: If there is more than 1 vehicle involved, please include above information on additional worksheets.

ITEM #1

PROPERTY SECTION

INVOLVEMENT:	Category:	Article:	Brand:	Model:	No. of Pieces:
Serial or OAN	Value:	Article Description:	Recovery Value:		
IF NARCOTICS: Number of items: <input type="text"/> Narcotic(s) Description: <input type="text"/>					
IF FIREARM: Make: <input type="text"/> Model: <input type="text"/> Gun Type: <input type="text"/> Gun Category: <input type="text"/> Caliber: <input type="text"/> Serial No.: <input type="text"/> Firearm Description: <input type="text"/>					

ITEM #2

PROPERTY SECTION

INVOLVEMENT:	Category:	Article:	Brand:	Model:	No. of Pieces:
Serial or OAN	Value:	Article Description:	Recovery Value:		
IF NARCOTICS: Number of items: <input type="text"/> Narcotic(s) Description: <input type="text"/>					
IF FIREARM: Make: <input type="text"/> Model: <input type="text"/> Gun Type: <input type="text"/> Gun Category: <input type="text"/> Caliber: <input type="text"/> Serial No.: <input type="text"/> Firearm Description: <input type="text"/>					

ITEM #3

PROPERTY SECTION

INVOLVEMENT:	Category:	Article:	Brand:	Model:	No. of Pieces:
Serial or OAN	Value:	Article Description:	Recovery Value:		
IF NARCOTICS: Number of items: <input type="text"/> Narcotic(s) Description: <input type="text"/>					
IF FIREARM: Make: <input type="text"/> Model: <input type="text"/> Gun Type: <input type="text"/> Gun Category: <input type="text"/> Caliber: <input type="text"/> Serial No.: <input type="text"/> Firearm Description: <input type="text"/>					

INVOLVEMENT OF PROPERTY:

CATEGORY:

(ANL) Analysis	(LST) Lost	(RPO) Repossessed	(1) Machinery/Construction/Etc.	(4) Sporting Equip. & Goods	(C) Bike	(L) Computer/Software/Equip.	(V) Personal Items/Purse/Wallet
(BUY) Bought	(OBS) Observed	(SAR) Stolen and Recovered	(#) Coin Collections/Rare Coins	(5) Telephone/Answering Machines	(D) Boat/Boat Motor/Trailers	(M) Credit/Debit Cards	(W) Radio/Stereo Equipment/Electron.
(CON) Converted	(OTH) Other (arson)	(SKF) Safekeeping	(S) Drugs	(6) Tools/Hand/Power	(E) Building Materials/Plumbing	(N) Food/Gas/Liquor	(Y) TV/All Types
(DAM) Damaged	(PAW) Pawned	(SRC) Recovered	(%) Medical/Dental Equipment	(7) Toys/Electronic Games	(F) Cameras & Equipment	(O) Guns	(Z) Video Cassette Recorders/DVDs
(DEF) Defendant's Prop.	(RCB) Recovered by Other Jurisdiction	(STN) Stolen	(&) Musical Instruments	(8) Cash/Food Stamps	(G) Household Items	(P) Household Items	(*) Motorcycle/Mini Bike/Etc.
(EVD) Evidence	(RCV) Recovered	(STR) Stored	(*) Explosives & Ammunition	(9) Lawn Mower/All Lawn Equip.	(H) CD/Tapes/records/Video	(Q) Jewelry/Precious Metals	
(FOU) Found	(SUS) Suspect	(TBD) To Be Destroyed	(1) Office Equipment	(@) Cash Registers/Safe	(I) Cellular Phones	(R) Merchandise (general)	
(IMP) Impounded	(REG) Registration	(TBD) To Be Destroyed	(2) Scrap Metal/Copper	(J) Animals/Pets	(J) Clothing/Furs	(S) Miscellaneous	
(INS) Institutionalized	(RJC) Recovered for		(3) Snow Blower	(B) Auto Parts/Accessories/Tires	(K) Collectibles/Paintings/Antiques	(T) Motors/Gas/Electric Operated	

	BUFFALO PD POLICE REPORT CRIMINAL MISCHIEF	Complaint 17-0010506 Report Date & Time 01/01/2017 10:54							
Address of Occurrence 33 SCHMARBECK AV		District 'C' Tract BU Occ. Date & Time 01/01/2017 10:54 Day of Week Sunday Type of Premise Street							
Status Cleared By Arrest		Follow Up By Supl N	TT Mess# P2783 - SCHULTZ TT Entry Date 01/01/2017 TT Cancel# P3617 - MORIARITY TT Cancel Date 						
Officers: D674 - MCDERMOTT L440 - VELEZ		Rep. Off.: D674 - MCDERMOTT Supervisor: 							
Last Name KISTNER		First Name JAMES	MI 	Ext 	Birth Date 60 Race White Sex M Age 56 Juvenile N Arrested N Report PR				
Address 37 SCHMARBECK		City BUFFALO		State NY Zip 14211	Home Phone (716) 895-2949 Work Phone 				
Height 5' 10"	Weight 195	Hair GRY	Eyes BLU	Build S	Complexion FAR	Glasses 	Scars/Marks/Tattoos 		
Victim DID receive Information on Victim's Rights and Services pursuant to New York State Law Yes/No									
Last Name SONY		First Name C DIST	MI 	Ext 	Birth Date 	Race Unknown Sex U Age Juvenile N Arrested N Report PR			
Address 693 E FERRY ST		City BUFFALO		State NY Zip 14211	Home Phone (716) 851-4412 Work Phone 				
Height 	Weight 	Hair 	Eyes 	Build 	Complexion 	Glasses 	Scars/Marks/Tattoos 		
Victim DID receive Information on Victim's Rights and Services pursuant to New York State Law Yes/No									
Law	Section	CA	CL	DG	Description			Report	
PL	145.05-02	F	E	3	CRIMINAL MISCHIEF 3RD:DAMAGE ANOTHERS PROPERTY-AMOUNT> \$250			PR	
PL	240.20-03	V		0	DIS/CON OBSCENE LANG/GESTURES			PR	
Arrest # Name		Date		Address					
223353 KISTNER, JAMES		01-01-2017		37 SCHMARBECK AV BUFFALO					
Status Held		Arrest Type Crime in Progress		Arresting Officers 172768 MCDERMOTT, I172870 VELEZ, JENNY M					
Law	Section	CA	CL	DG	Description			Counts	
PL	145.05-02	F	E	3	CRIMINAL MISCHIEF 3RD:DAMAGE ANOTHERS PROPERTY-AMOUNT> \$250			1	
PL	240.20-03	V		0	DIS/CON OBSCENE LANG/GESTURES			1	
ON 1-1-17 AT APPROX 1100 HRS WHILE AT 33 SCHMARBECK THE DEF. DID INTENTIONALLY THROW HIS BODY INTO THE DRIVER'S SIDE MIRROR OF PATROL VEHICLE 473, CAUSING THE MIRROR TO BECOME DISLODGED FROM THE VEHICLE AND THE DRIVER'S SIDE WINDOW TO MALFUNCTION (AMOUNT TO EXCEED \$250). WHILE AT ECMC, DEF DID USE OBSCENE AND OFFENSIVE LANGUAGE TOWARD OFFICERS AND MEDICAL STAFF, CAUSING AN ANNOYANCE AND ALARM.									
DEF. TRANSPORTED TO ECMC FOR A 941 EVALUATION AFTER ARREST.									
EXHIBIT S 2/13/20 ATB									

P-163 (Rev 01/15)
ORI# 1501BUFFALO POLICE DEPARTMENT
ARREST DATA FORMDISTRICT OF ARREST: CPROPERTY: YES NO

MONEY: \$ _____

DATE: 1-1-17 INCIDENT NUMBER: 17-001-0506 ACI# 06023 AFN: 17-00009-98DEFENDANT'S NAME: Kristen K. Stiner James

(LAST) (FIRST) (M)

DATE OF BIRTH: 60 AGE: 56 PLACE OF BIRTH: Cincinnati, OHARRESTING OFFICER: L. McDermott ASSISTING OFFICER: J. Velez / K. SchultzDIST.: C ASSIGNMENT: C241 ARREST DATE: 12-01-01-17 ARREST TIME: 11:05ADDRESS OF ARREST: 37 SchmarbeckCHARGES: PL 145.05-2 PL 240.20-3

NARRATIVE: On 1-1-17 at 1100 hrs while at 33 Schmarbeck, def did intentionally throw his body into the driver side mirror of patrol vehicle 473, causing the mirror to become dislodged from the vehicle and the driver's side window to malfunction, amount to exceed \$250. While at ECMC def did use obscene and offensive language toward officers and medical staff.

DEFENDANT'S STREET NAME/ALIASES: _____

DEFENDANT'S ADDRESS: 37 SchmarbeckCITY: Buffalo STATE: NY ZIP CODE: 14211 US CITIZEN: YES NOSOCIAL SECURITY NUMBER: 5112 MARITAL STATUS: S OCCUPATION: N/ADEFENDANT'S SEX: M HEIGHT: 5'10" WEIGHT: 185 BUILD: Med EYE COLOR: BlueHAIR COLOR: Brown SKIN TONE: Light RACE: _____ ETHNICITY: _____

SCARS, MARKS, TATTOOS: _____

WARRANTS: YES NO (IF YES, ATTACH COPY) REPORT TECH. INITIALS: CL SATISFACTORY ID: YES NOHAS THE DEFENDANT RECENTLY BEEN OUTSIDE THE UNITED STATES? YES NO

(IF YES, WHERE?): _____

COMPLAINANT'S NAME: SONY RELATIONSHIP: _____USE OF FORCE? YES NO (IF YES, OFFICER(S) MUST COMPLETE P-1374 - USE OF FORCE FORM)VEHICLE TO BE IMPOUNDED? YES NO PLATE #: _____ LOCATION: _____

TO BE ASKED BY THE REPORT TECHNICIAN (TO BE ASKED IN THE PRESENCE OF THE ARRESTING OFFICERS)

1. Are you injured? YES NO

If yes, describe injury, any bandages, stitches etc. _____

If yes, when were you injured? (Date and time) _____

2. Have you received medical attention since your arrest? YES NO

(If yes, Arresting Officers are responsible of completing P-1261)

PROCESSING REPORT TECHNICIAN: R. T. Mullin EMPL/DID NO.: _____

00023

Docket Number

CITY OF BUFFALO

CD #:17-0010506

COUNTY OF ERIE STATE OF NEW YORK

The People of the State of New York)	INFORMATION / COMPLAINT
vs.)	
JAMES KISTNER DOB: [REDACTED] 60)	
37 SCHMARBECK)	
BUFFALO, NY)	

I, Police Officer LAUREN M. MCDERMOTT, a police officer herein, accuse JAMES KISTNER, the DEFENDANT of this action, and charge that on or about Sunday, January 1, 2017 at 33 SCHMARBECK AV in the CITY OF BUFFALO, County of ERIE, at about 10:54 AM, said DEFENDANT did commit the offense of:

CRIMINAL MISCHIEF 3RD - DAMAGE >\$250.

a class E FELONY contrary to the provisions of section 145.05, subsection(s) 02 of the Penal Law of the State of New York.

145.05-2 - CRIMINAL MISCHIEF IN THE THIRD DEGREE

IN THAT THE DEFENDANT, WHILE AT 37 SCHMARBECK, DID WITH INTENT TO DAMAGE THE PROPERTY OF ANOTHER PERSON, CITY OF BUFFALO POLICE DEPARTMENT, AND HAVING NO RIGHT TO DO SO NOR ANY REASONABLE GROUND TO BELIEVE THAT HE HAD SUCH RIGHT, DID DAMAGE THE PROPERTY, TO WIT; DRIVER'S SIDE MIRROR AND DRIVER'S SIDE MIRROR OF PATROL VEHICLE, IN THE AMOUNT OF MORE THAN \$250.00. IN THAT THE DEFENDANT DID INTENTIONALLY THROW HIS BODY INTO THE DRIVER'S SIDE MIRROR OF PATROL VEHICLE #473, CAUSING THE MIRROR TO BECOME DISLODGED FROM THE VEHICLE AND ALSO CAUSING THE DRIVER'S SIDE WINDOW TO MALFUNCTION, THE VALUE OF SAID DAMAGE TO EXCEED \$250.00. THE DEFENDANT DID CAUSE SAID DAMAGE TO THE ABOVE MENTIONED PROPERTY WITHOUT THE PERMISSION OF THE OWNER.

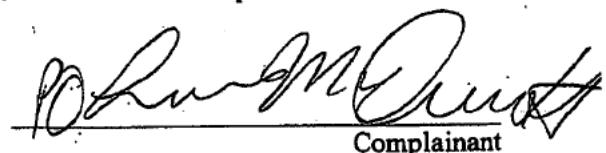
ALL CONTRARY TO THE PROVISIONS OF THE STATUTE IN SUCH CASES MADE AND PROVIDED. THE ABOVE ALLEGATIONS OF FACT ARE MADE BY THE COMPLAINANT HEREIN ON DIRECT KNOWLEDGE.

Therefore, the complainant requests that said defendant be dealt with according to the provisions of the Criminal Procedure Law, and according to law.

NOTICE

(Penal Law, Section 210.45)

It is a crime, punishable as a Class A Misdemeanor under the Laws of the State of New York, for a person, in a written instrument, to knowingly make a false statement, or to make a statement which such person does not believe to be true.



Complainant

Subscribed and sworn to me this
1st of January, 2017

Docket Number _____

CITY OF BUFFALO

CD #:17-0010506

COUNTY OF ERIE STATE OF NEW YORK

The People of the State of New York)
vs.)
JAMES KISTNER DOB: [REDACTED] 60)
37 SCHMARBECK)
BUFFALO, NY)
INFORMATION / COMPLAINT

I, Police Officer LAUREN M. MCDERMOTT, a police officer herein, accuse JAMES KISTNER, the DEFENDANT of this action, and charge that on or about Sunday, January 1, 2017 at 33 SCHMARBECK AV in the CITY OF BUFFALO, County of ERIE, at about 10:54 AM, said DEFENDANT did commit the offense of:

DISORDERLY CONDUCT

a VIOLATION contrary to the provisions of section 240.20, subsection(s) 03 of the Penal Law of the State of New York.

THE SAID DEFENDANT, AT THE AFORESAID TIME AND PLACE, WITH INTENT TO CAUSE PUBLIC INCONVENIENCE, ANNOYANCE OR ALARM, OR RECKLESSLY CREATING A RISK THEREOF, WHILE IN A PUBLIC PLACE, DID USE ABUSIVE OR OBSCENE LANGUAGE, OR MADE AN OBSCENE GESTURE. IN THAT THE DEFENDANT DID INTENTIONALLY THROW HIS BODY INTO THE DRIVER'S SIDE MIRROR OF PATROL VEHICLE #473, CAUSING THE MIRROR TO BECOME DISLODGED FROM THE VEHICLE AND ALSO CAUSING THE DRIVER'S SIDE WINDOW TO MALFUNCTION, THE VALUE OF SAID DAMAGE TO EXCEED \$250.00 AND WHILE AT BEING TREATED AT ECMC THE DEFENDANT DID USE OBSCENE AND OFFENSIVE LANGUAGE TOWARD OFFICERS AND MEDICAL STAFF. SAID ACTIONS BY THE DEFENDANT DID CAUSE A PUBLIC ANNOYANCE AND ALARM.

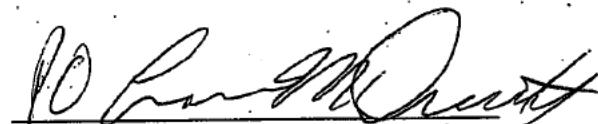
ALL CONTRARY TO THE PROVISIONS OF THE STATUTE IN SUCH CASES MADE AND PROVIDED. THE ABOVE ALLEGATIONS OF FACT ARE MADE BY THE COMPLAINANT HEREIN ON DIRECT KNOWLEDGE.

Therefore, the complainant requests that said defendant be dealt with according to the provisions of the Criminal Procedure Law, and according to law:

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Complainant

Subscribed and sworn to me this
1st of January, 2017

Docket Number _____

CITY OF BUFFALO
COUNTY OF ERIE STATE OF NEW YORK

CD #:17-0010506

The People of the State of New York)
 vs.)
JAMES KISTNER DOB: [REDACTED] 60)
 37 SCHMARBECK)
 BUFFALO, NY)

) NOTICE TO DEFENDANT OF
) INTENTION TO OFFER EVIDENCE
) AT TRIAL (CPL 710.30 AND 700.70)

THE PEOPLE INTEND TO OFFER AT TRIAL:

I. STATEMENTS BY DEFENDANT: EVIDENCE OF A STATEMENT MADE BY THE DEFENDANT TO A PUBLIC SERVANT ENGAGED IN LAW ENFORCEMENT ACTIVITY OR TO A PERSON THEN ACTING UNDER HIS DIRECTION OR IN COOPERATION WITH HIM.

1. Written statement (attach copy)
 2. What was said by the defendant at the time of arrest? (specify: date, place, content and to whom)
 3. No statements were made

Arresting Officers Initials: _____

BEFORE BEING PLACED UNDER ARREST AND BEFORE BEING ADVISED OF HIS MIRANDA RIGHTS, WHILE AT ECMC, THE DEFENDANT DID SPONTANEOUSLY STATE TO THE DR. AND PO L. McDERMOTT AND PO J. VELEZ, "YOU HIDE FASCIST UNIFORMS. THAT'S WHAT YOU DO AND THOSE TO NAZIS THAT WERE DRIVING IN FRONT. FASCISTS. I CAN'T TALK IN FRONT OF THEM."

AFTER BEING PLACED UNDER ARREST AND AFTER BEING ADVISED OF HIS MIRANDA RIGHTS, WHILE AT ECMC, THE DEFENDANT DID SPONTANEOUSLY STATE TO PO J. VELEZ, "CHARGE ME CRIMINALLY TO COVER YOURSELVES. YOU'RE SCARED. YOU AND YOUR LILY WHITE PUSSIES."

AFTER BEING PLACED UNDER ARREST AND AFTER BEING ADVISED OF HIS MIRANDA RIGHTS, WHILE AT ECMC, THE DEFENDANT DID SPONTANEOUSLY STATE TO PO J. VELEZ AND PO L. McDERMOTT, "IF YOU KEEP TELLING YOUR LIES SO WILDLY, SOMEONE MIGHT BELIEVE YOU. YOU'RE STORY AIN'T GOING TO FLY. INTERNAL AFFAIRS IS GOING TO EAT YOUR ASS ALIVE."

AFTER BEING PLACED UNDER ARREST AND AFTER BEING ADVISED OF HIS MIRANDA RIGHTS, WHILE AT ECMC, THE NURSE AT ECMC DID GIVE THE DEFENDANT A DIRECTIVE AND THE DEFENDANT DID YELL ALOUD, "I'M TIRED OF LISTENING TO THIS CUNT, THE THREE NAZI BITCHES."

II. IDENTIFICATION OF DEFENDANT: TESTIMONY IDENTIFYING THE DEFENDANT AS A PERSON WHO COMMITTED THE OFFENSE CHARGED BY WITNESSES WHO HAVE IDENTIFIED HIM AS SUCH PRIOR TO ARREST / TRIAL. SPECIFICALLY:

WHO MADE IDENTIFICATION OF DEFENDANT? (SPECIFY NAME):

DATE: 1/2/2017 PLACE: 33 SCHMARBECK

1. Showup Identification
 2. Photograph Identification
 3. Line-up
 4. Observation of defendant upon some other occasion relevant to case
 5. Other (specify) WAS POSITIVELY ID'D BY OFFICERS

**CITY OF BUFFALO POLICE DEPARTMENT
CENTRAL BOOKING BUREAU
CASE HISTORY**

DEFENDANT: JAMES KISTNER

AFN: 16-00009-98

THE OFFICER IN CHARGE OF A CASE IS THE OFFICER WITH THE MOST KNOWLEDGE OF THE EVENTS LEADING TO THE ARREST. THIS OFFICER WILL ALSO BE THE ONE TO SUBMIT ALL ITEMS OF AN EVIDENTIARY NATURE TO THE CPS LAB OR PROPERTY ROOM. THE OFFICER IN CHARGE MUST GIVE A CONCISE AND SUFFICIENTLY DETAILED ACCOUNT OF THE CASE WITH SPECIFICS PERTAINING TO ALL OFFICERS INVOLVED. THIS ACCOUNT WILL ACCOMPANY ALL PAPERWORK FORWARDED TO BUFFALO CITY COURT.

THE FOLLOWING SUMMARY REPRESENTS THIS CASE FILE TO THE BEST OF MY KNOWLEDGE:

NAME OF ARRESTING OFFICER : PO LAUREN MCDERMOTT
FUNCTION (S) PERFORMED: INVESTIGATED AND PLACED THE DEFENDANT UNDER ARREST

NAME OF ASSISTING OFFICER: PO JENNY VELEZ
FUNCTION(S) PERFORMED: ASSISTED WITH INVESTIGATION AND ARREST; 710.30

NAME OF ASSISTING OFFICER: PO KARL SCHULTZ
FUNCTION PERFORMED: ASSISTED WITH INVESTIGATION AND ARREST

NAME OF ASSISTING OFFICER: PO KYLE MORIARTY
FUNCTION PERFORMED: ASSISTED WITH INVESTIGATION AND ARREST

NAME OF ASSISTING OFFICER:
FUNCTION PERFORMED:

NAME OF ASSISTING OFFICER:
FUNCTION PERFORMED:

OFFICER SIGNATURE: PO Lauren McDermott

DATE: 1/1/17

Agency File No. 17 00009 48

**CITY OF BUFFALO - DEPARTMENT OF POLICE
CRIME AND INCIDENT RECORDS UNIT**

74 FRANKLIN STREET • ROOM 100 • BUFFALO, NEW YORK • 14202

APPEARANCE TICKET

Issued to: KISTNER James 60 Male Female
 (DEFENDANT'S LAST NAME) FIRST MI D.O.B.
37 Schmarbeck Bflo 14201 295-2949
 (ADDRESS) CITY ZIP CODE PHONE
h Kerads

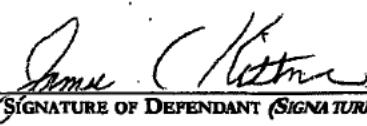
YOU ARE HEREBY DIRECTED TO APPEAR PERSONALLY IN PART TWO, OF THE
CITY COURT OF BUFFALO 50 DELAWARE AVENUE, CITY OF BUFFALO, NEW YORK.

ON JAN 12, 20 17 at 9:30 AM, in connection with your alleged commission of:
Am Akcht et d contrary to the provisions of:

145.05- 2 of the: Penal Law of the State of New York
 SECTION Jan 21 27 SUBSECTION
 Vehicle and Traffic Law of the State of New York
 Ordinances of the City of Buffalo
 _____ Law.

Committed at: 37 Schmarbeck, in the City of Buffalo
 on the 1st day of JANUARY, 20 17 at 1600 AM PM.

I, the undersigned, do hereby acknowledge receipt of this Appearance Ticket and do agree to appear as directed. I further understand that my failure to appear in City Court as directed, may result in a Criminal Summons or a Warrant for my arrest may be issued (CPL 150.60). If I have posted bail, the bail will become forfeit upon my failure to comply with the directives of this Appearance Ticket (150.30).


 SIGNATURE OF DEFENDANT (SIGNATURE IS NOT AN ADMISSION OF GUILT)

ISSUED AND SUBSCRIBED BY:



OFFICER'S SIGNATURE

L D PANCKE
 ISSUING OFFICER (PRINT)

CCP
 ASSIGNMENT

Warrant check performed by:



MEMBER PROVIDING WARRANT CHECK

Source of Identification:

 New York State Driver's License Known to Issuing Officer Other: MUG ID

REQUEST FOR EXAMINATION OF PERSON UNDER SECTION 9.41 OF THE NEW YORK MENTAL HYGIENE LAW

To: Erie County Medical Center – CPEP
462 Grider St., Buffalo, NY 14215

POLICE AGENCY/DISTRICT: Buffalo PD

COMPLAINT #: 17-001-0504

INCIDENT LOCATION: 33 Schmarbeck

Is responding officer CIT-trained? Yes

DATE: 1-1-17

TIME OF TRANSPORT: 1637

Does individual have active CIT Crisis Plan? Yes

AMB CO:

AMB #:

Name (L, F, MI)

Kistner, James

DOB

60

Age

56

Sex

M

Address (number, street, city, state, zip)

37 Schmarbeck Buffalo, NY

Has this individual served in the military/reserves: Yes No Unknown

Known mental health history and/or diagnosis: unknown

What was reported to the police about this individual?

EXHIBIT

PERIOD 800-001-00000

6

2/13/20 5:18

Name of source of information: Relationship to individual: Phone:

Any known linkages to treatment/significant others: unknown

Justification for transport - Describe any known history of violence to self or others, current violent behavior, and harmful or neglectful behavior to self or others, including documentation of any plans, means, and access for suicide/harm to others: Sub. did in front of
throw himself at patrol vehicle. Repeatedly called NK NZ's and fxxkED

Check here if a continuation page is attached

behaviors or actions indicate that the individual might be a danger to self/others?

Places self in dangerous situations Talk of hurting/killing self others
 Unable to care for self Attempting to hurt/kill self others
 Threat/use of weapon to harm self/others Plan/means/access available
 Verbal threats Physical threats
 Other: _____
 Weapon(s) present (describe): _____

WEAPONS CHECK PRIOR TO TRANSPORT

Searched? Yes No
 Found? Yes No

If found, disposition:

Check observed and/or reported behavior or actions that indicate that the individual might be a danger to self or others:

R Verbal and Behavioral
 Refusal to respond to question
 Talking to self
 Impaired speech (slurred, slow, illogical/incoherent, fast)
 Reported hearing voices
 Irrational speech/thoughts
 Hostile/argumentative/belligerent/loud/yelling
 Expresses ideas of inflated self-importance
 Talks repeatedly about a single subject (death, religion, illness, government, etc.)

R Appearance and Behavior
 Paranoia/suspiciousness/feelings of persecution
 Dress indicates lack of awareness of weather/setting
 Confused/disoriented
 Sad expression /crying/depression
 Presence of feces or urine
 Exhibits extraordinary physical strength
 Extremely rapid heart rate/respiration
 Poor hygiene/living environment
 Under the influence
 Hyperactivity/psychomotor agitation

Has a criminal charge been placed? Yes No

If yes, charges: PL 145.05-2 PL 240.20-3

Appearance ticket issued? Yes NoOrder of protection in force? Yes No

Officer's Name (please print): J. Velez

Date: 1-1-17

HOSPITAL DISPOSITION: To be completed by Examining Physician/Emergency Room (check appropriate boxes)

Patient admitted to this facility Medical admission
 Patient transferred to another facility Patient not admitted

Psychiatric admission
 Patient absconded